IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
WRIT PETITION (l) NO.2489 OF 2007

Mr. Satish Tandor s/o Late
Shri Rajmohan Tandor ... Petitioner

vs

State of Maharashtra and ors ... Respondents

Mr.M.M.Vashi i/b Mr. Ashok M Saraogi for the petitioner.
Mr. D.A. Nalawade AGP for State.
Mr.Rui Rodrigues with Mr. A.M.Sethna for respondent No.2

CORAM; SWATANTER KUMAR, C.J. &
J.P.DEVADHAR, J.

Dated 23rd November 2007

P.C.:

The petitioner has produced a Hindi feature film “Chiroshkha-Hey”. It is contended that the said film is based on the real story of Shri Rabindranath Tagore which also includes some negative version in respect of his life and that the said film has been appreciated by all concerned and has been invited in various National and International Film Festivals.

2. The petitioner had applied for participation of the said film in the Indian Panorama, 2007. As the said film is not selected, the present petition is filed.

3. Mr. Vashi, learned counsel appearing for the petitioner submitted that the petitioner's film has not been selected because, firstly the members of the jury were not having sufficient experience. Secondly, out of 5 jury members, 3 were Bengalis who were biased against the film as it depicted some negative aspects of Shri Rabindranath Tagore. Thirdly, the film was not seen because within a span of 10 days the members of the jury could not have seen all the 149 short films and 119 feature films.

4. It is brought to our notice by Mr Rodrigues, learned counsel appearing for respondent no.2 that the panel of jury consisted of six members headed by Shri K S Sethumadhavan, a renowned film maker. It is submitted that the jury divided int two panels and the said two panel shortlisted the films viewed by them. The first panel viewed the film but did not select it for shortlisting.

5. It can hardly be disputed that the members of the jury are from the film industry and are connected with production and exhibition of films. The effect of the extent of their experience would be a matter not in this court to examine. The averment that within 10 days span number of films were viewed by the juries is impossible to believe, again does not have any substance. Both kind of films short and

feature films were viewed by two different jury panels over a period of 15 days. Further more, there is nothing on record before us which could even remotely suggest that the decision of the jury would suffer from the concept of `impossible of performance'.

We must notice that such matters would squarely fall within the jurisdiction of expert bodies. Their decision and action can hardly be the subject matter of judicial review,of course, unless they are patently unfair, unjust or violative of the basic rule of law. None of these ingredients are satisfied by the petitioners in the present case. The scope of writ jurisdiction in such matters is very limited one and the petitioners cannot be permitted to raise such factual controversies which are incapable of being resolved in exercise of extra ordinary jurisdiction of this court under Article 226 of the Constitution of India.

6. Besides all this it is not in dispute that the decision of the jury was announced by the Directorate through a press release on 15th October 2007. It is also brought to our notice that the jury panel consisted of only one Bengali person.

7. In these circumstances, we see no merit in the writ petition and the same is hereby dismissed. Parties to bear their own costs.

CHIEF JUSTICE

J.P.DEVADHAR, J.